U.S. House of Representatives

Committee on Science and Technology

Subcommittee on Research and Science Education, House Committee on Science and Technology

Testimony of

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February 7, 2008

Thank you very much, Chairman Baird and members of the Committee, for allowing me the opportunity to give you an update on the status of the State Department's visa policy and procedures for foreign students and scholars. My colleague, the Consular Bureau's Principal Deputy Assistant Secretary Janice Jacobs, has presented testimony in 2003 and 2004 on this same subject. I am happy to report that, while our commitment to security has not diminished, we have worked diligently to streamline the process to attract and bring the best and brightest foreign students and scholars to the United States. The Department is aware of the particular interest this Committee has with regard to these students, and we appreciate your support of our efforts to improve and expand visa services for students.

Foreign students contribute over $13 billion annually to the economic well-being of this country. Their work significantly boosts our academic and scientific research and their exposure to our culture and freedoms is a crucial public diplomacy success. Although foreign governments, prospective students, and educational associations continue to say publicly that the visa process is a serious

hindrance to student and exchange visitors, the numbers tell a different story: we have issued more than ever before. In 2007, we issued ten percent more business, student, and exchange visitor visas than last year. In some of our busiest posts, the rate of increase has been far greater. And we have surpassed 2001 levels for student and scholar visas by 90,000, or 16 percent. All of this progress has come despite competition from schools in Europe, Canada, and Australia with lower tuitions and aggressive recruiting program.

Exchange visitor numbers have risen to historic highs. In FY 2007, we issued 343,946 J-1 visas, 11 percent more than the same period in FY 2006, and we have exceeded our FY 2001 levels by 82,000 visas. The same is true for vocational student visas, where we have exceeded our FY 2001 levels by an incredible 71 percent.

At some of our busiest posts, the number of student visas grew even more dramatically. For example, in China, the number of student visas issued increased by 38 percent in Beijing and 51 percent in Guangzhou over FY 2006 totals. In India, the largest source country for foreign students, student visa issuances in Mumbai increased by 55 percent and in Chennai by 34 percent. At another historically high student visa post, Seoul, Korea, the number of student visas issued increased 7 percent. Student and exchange visitor visa issuances in many Middle East posts also continue to increase, though they are still about six percent below 2001 levels.

Let me specifically address the several questions you posed in your invitation letter. Then I will conclude with an overview of the current outlook for visa policies for students and scholars.

We pursue the dual goals of keeping our country safe and of welcoming qualified students, and both are important. A policy of "secure borders, open doors" is not a contradiction: we can and must guard our country against threats to our security and sensitive technology, while at the same time facilitating legitimate travel. In fact, the State Department supports facilitation of international education as a matter of national security. The value of the interpersonal exchanges and cross-cultural understanding that come about through international education helps to create a more stable world.

We employ the same safeguards against security threats from prospective students and scholars as we do for all visa applicants through a number of name-based and biometric checks: each applicant's fingerprints are checked against the interagency IDENT database of qualified travelers, suspected terrorists, international criminals and immigration violators, and, as of January 1, are also screened through the FBI's IAFIS criminal database. All visa applicant photos are also screened against a facial recognition database of suspected terrorists and visa violators. Each visa applicant's name and biodata are also checked against a name-based database with over 32 million interagency entries. In addition, for certain types of travelers, including students and scholars with expertise in fields of non-proliferation concern, we require an interagency analysis of their application data, called a Visas Mantis clearance.

We are also facilitating students and scholars by continuing to make our process more transparent and efficient. We have taken several steps to improve the process:

1. The State Department has instructed posts to make students a priority so that they may travel in time to begin their course of study. All posts have procedures in place to expedite student and scholar applicants, even on short notice. Having focused on cutting wait times for interviews, I can report that 90 percent of our posts have wait times of less than 30 days for student and business travelers. Our goal is to be closer to 100 percent of posts at the 30-day or less level by the end of this year.

2. We are moving quickly to make our entire visa process more electronic through an online visa application process (further discussed below), an online appointment system (which over 70 posts now use), and online fee payment. A fully electronic process provides more accurate and verifiable information, allows for fraud screening in advance of the visa interview, increases convenience for applicants, and standardizes the process worldwide.

3. We issued guidance in January 2008 to allow consular officers to waive the visa interview for some categories of renewal applicants, who have previously provided 10 fingerprints, been interviewed and received visas. Under INA 222(h), consular officers may waive the interview requirement for applicants applying at the consular post of their usual residence, who are applying for a visa in the same visa class as their current visa, who have not been refused a visa, and who present no national security concerns requiring an interview. Those eligible for the exception to the interview requirement include student and exchange visitor visa applicants reapplying for their same program of study within one year of the expiration of their existing visa. This means that if students or exchange visitors are eligible for a

waiver of the interview and have already provided ten prints in a previous NIV application, the consular officer may waive the interview and issue a visa without requiring those applicants to appear in person or provide new prints. This process will allow us to focus our interviews on the highest-risk applicants while facilitating the visa renewals of legitimate travelers.

4. For the approximately three percent of our applicants requiring additional review and clearance, we improved the interagency clearance process, which now averages 14 days for the most common student clearance, the Visas Mantis. The State Department reviews the Technology Alert List each year, eliminating those items which do not appear to pose a risk and adding any new areas of concern. The Security Advisory Opinion Requirements Review Board (SAORRB) is a permanent interagency management structure to oversee and continually improve the process of visa issuance. For instance, in May 2007 the SAORRB agreed to change the Visas Eagle clearance (used for immigrants from certain former and current Communist countries, eliminating over a quarter of the total number of clearances yearly.

As the number of potential students continues to grow, we have to work harder to increase the transparency, efficiency, and predictability of the visa process across the board, with a special focus on student and exchange visitor visas. Here are just some of our initiatives:

- Since September 2001, we have created 570 new consular positions to handle a growing visa demand and the added security measures in our visa adjudication process.

- As part of the Rice/Chertoff Joint Vision, students can now apply for visas up to 120 days before their studies begin.
- We post and update visa appointment wait times on our Internet website. When our wait times increase, which often occurs in the busy summer months, all posts give students and exchange visitors priority.
- All of our Embassies and Consulates expedite student and exchange visitor visa applications, to ensure no qualified student is denied the opportunity to be issued a visa in time to start his or her program. In addition, student and exchange visitor applications are given top priority in the clearance process, should additional clearances be necessary.

Applicants subject to the Visas Mantis process are required to provide additional documentation that helps Washington, DC reviewers obtain a clearer sense of an applicant's background and reason for travel. As appropriate in individual cases, these documents normally include:

(1) Complete resumes (and, if accompanying the applicant, a professional spouse's resume);
(2) Complete list of publications of the applicant (and, the spouse's publications if required);
(3) List of references in the applicant's country of birth or residence;
(4) Detailed descriptions of the applicant's proposed research or work in the U.S.;
(5) Letters of invitation from the U.S. sponsor;
(6) Letters of recommendation from a U.S. source or from abroad;
(7) Letters of support from the financial sponsor; and
(8) Detailed itinerary.

The Department provides a variety of training opportunities and other resources to our consular officers in Washington and in the field. A Visas Mantis component is included in the basic consular training course, and country-specific briefings are offered to officers en route to posts with significant Mantis volume. The Bureau of Consular Affairs, working with the Foreign Service Institute, is developing on-line consular refresher courses, including a module on the Visas Mantis process. These training modules will be rolled out in early 2008, and available worldwide.

In addition to formal training courses and briefings, the Department provides ongoing guidance to posts on Visas Mantis issues, including more than 25 videoconferences with dozens of Foreign Service posts. While most of the Visa Mantis dialogue takes place with the relatively small number of very active Visas Mantis posts, any post may query the Visa Office about a Mantis case or a more general Visas Mantis issue. The Visa Office also maintains a designated Visas Mantis web page available worldwide containing numerous on-line references.

We are continuing to put new systems in place to improve our visa processing efficiency. We are currently developing a Consolidated Visa System, which will incorporate all of our current nonimmigrant (NIV) and immigrant visa (IV) processing systems into one. The consolidated visa system will improve information and workflow data reporting, thereby boosting the Department's ability to manage and standardize visa processing with our consular managers in the field.

We are also moving towards all-electronic correspondence. For instance, our National Visa Center already does the bulk of its communication with IV

petitioners and applicants electronically, which saves hundreds of thousands of dollars on printing and postage costs. We hope to make correspondence for the Diversity Visa (DV) program fully electronic by 2009.

Once we have an online NIV application, we will have a wealth of electronic information about our applicants. We plan to perform some fraud and security screening in advance, for instance to verify the applicant's U.S. contacts, including company and petitioner checks. These checks could include automated corroboration of applicant data, searches of relevant DHS records, and searches in U.S. visa records to identify issues that require closer examination.

This online NIV application will be linked to an online appointment system and require fee payment online. In Mexico this year, along with the pilot of the online NIV application in Mexico, we will pilot the collection of ten prints offsite at a secure facility, another way we are working to simplify our procedures while keeping security paramount.

We are also developing procedures to interview by videoconference, or by sending an officer to perform some interviews offsite. Legal and practical issues need to be resolved before we can deploy these technologies, but we continue to explore strategies for deployment in the interim. Our work in this area has already provided solutions for expanding services we can offer through outsourcing strategies.

We continue to discuss with DHS/USCIS the move toward a consolidated electronic process for handling visa applications requiring USCIS-approved petitions. We are working with USCIS' Transformation Program Office to be sure

that our plans are aligned to create a uniform, person-centric immigration process. For instance, we already share USCIS petition information electronically with posts, through a program called PIMS.

Thank you again for the opportunity to be here. We appreciate the Committees continued interest in our work. I would like to note that we publish general visa statistics on issuances and refusals, by category and region, each year on our public website: www.travel.state.gov and would like to submit for the record copies of our latest statistics. I am pleased to take your questions.

Statistics

Worldwide NIV Workload

FY 2001 through FY 2007

Fiscal Year	Issued	Refused	Total Applications	Overcome	Adjusted Refusal Rate	% Issuance Increase
FY 2007	6,444,246	2,098,744	8,542,990	467,702	20.2%	10.4%
FY 2006	5,836,718	1,915,266	7,751,984	435,706	20.2%	8.3%
FY 2005	5,388,937	1,958,018	7,346,955	431,712	22.1%	6.7%
FY 2004	5,049,099	2,004,480	7,053,579	433,218	23.7%	3.4%
FY 2003	4,881,632	2,208,776	7,090,408	550,924	25.4%	-15.4%
FY 2002	5,769,437	2,595,373	8,364,810	443,177	27.2%	-24.0%
FY 2001	7,588,778	2,879,474	10,468,252	370,859	24.8%	

Worldwide F-1 Workload

FY 2001 through FY 2007

Fiscal Year	Issued	Refused	Total Applications	Overcome	Adjusted Refusal Rate	% Issuance Increase
FY 2007	298,392	133,992	432,384	39,763	24.0%	9.0%
FY 2006	273,870	111,581	385,451	42,637	20.1%	15.1%
FY 2005	237,890	95,271	333,161	36,376	19.8%	8.7%
FY 2004	218,898	92,599	311,497	28,839	22.6%	1.5%
FY 2003	215,695	117,010	332,705	43,972	25.3%	-7.9%
FY 2002	234,322	118,856	353,178	30,500	27.4%	-20.1%
FY 2001	293,357	112,310	405,667	25,282	22.9%	

Worldwide J-1 Workload

FY 2001 through FY 2007

Fiscal Year	Issued	Refused	Total Applications	Overcome	Adjusted Refusal Rate	% Issuance Increase
FY 2007	343,946	48,600	392,546	25,946	6.2%	11.0%
FY 2006	309,950	39,645	349,595	20,056	5.9%	12.6%
FY 2005	275,161	36,567	311,728	19,645	5.8%	8.1%
FY 2004	254,504	35,248	289,752	14,959	7.4%	0.3%
FY 2003	253,864	47,875	301,739	26,405	7.8%	0.0%
FY 2002	253,841	31,049	284,890	14,181	6.2%	-3.0%
FY 2001	261,770	22,504	284,274	8,314	5.1%	

Worldwide M-1 Workload

FY-2001 through FY-2007

Fiscal Year	Issued	Refused	Total Applications	Overcome	Adjusted Refusal Rate	% Issuance Increase
FY 2007	9,221	2,790	12,011	998	16.3%	27.6%
FY 2006	7,227	1,762	8,989	921	10.4%	24.1%
FY 2005	5,822	1,677	7,499	1,007	10.3%	20.9%
FY 2004	4,817	1,253	6,070	649	11.1%	15.9%
FY 2003	4,157	1,670	5,827	1,111	11.9%	1.0%
FY 2002	4,116	1,827	5,943	663	22.0%	-23.4%
FY 2001	5,373	1,905	7,278	465	21.1%	

FY 2007 Comparison with FY 2006 and FY 2001

Worldwide	*Issued FY 2007*	*Increase from FY 2006*	*Increase from FY 2001*
F-1 Visas	298,392	+9.0%	+1.7%
J-1 Visas	343,946	11.00%	+31.4%
M-1 Visas	9,221	27.60%	71.60%
Total	**651,559**	**10.20%**	**+16.2%**

China Posts	*Issued FY 2007*	*Increase from FY 2006*	*Increase from FY 2001*
F-1 Visas	36,877	41.80%	91.80%
J-1 Visas	13,929	36.00%	+119.0%
M-1 Visas	740	+31.7%	1038.50%
Total	**51,546**	**+40.1%**	**+100.9%**

India Posts	*Issued FY 2007*	*Increase from FY 2006*	*Increase from FY 2001*
F-1 Visas	32,598	+32.6%	+51.5%
J-1 Visas	5,130	+38.5%	+55.9%
M-1 Visas	2,560	+381.2%	+1,690.2%
Total	**40,288**	**+39.8%**	**+61.4%**

Korea Posts	*Issued FY 2007*	*Increase from FY 2006*	*Increase from FY 2001*
F-1 Visas	44,809	7.70%	+63.7%
J-1 Visas	10,447	5.00%	+69.9%
M-1 Visas	313	-15.4%	+35.5%
Total	**55,569**	**+7.0%**	**+64.6%**

Middle East	*Issued FY 2007*	*Increase from FY 2006*	*Increase from FY 2001*

Posts

F-1 Visas	13,393	-17.3%	-20.3%
J-1 Visas	9,267	+14.0%	31.60%
M-1 Visas	157	-3.7%	-64.80%
Total	**22,817**	**-6.8%**	**-6.1%**

Brazil Posts	***Issued FY 2007***	***Increase from FY 2006***	***Increase from FY 2001***
F-1 Visas	7,377	+25.4%	-40.1%
J-1 Visas	18,011	+4.5%	122.70%
M-1 Visas	69	-17.9%	-25.0%
Total	**25,457**	**+9.7%**	**+24.2%**

Security Advisory Opinion Statistics, First Quarter, FY 2008

Refusals Under INA 212(a)3(B): Terrorist Activity

NIV:

3B refusals: 39

3B waivers: 30

IV:

3B refusals: 5

Security Advisory Opinions Processed

Clearance Type	Number
Visas Bear	1,905
Visas Condor	12,437
Visas Donkey	20,997
Visas Mantis	11,480
Visas Merlin	6,463
TOTAL	53,282